

AMENDED IN SENATE MARCH 31, 2004

SENATE BILL

No. 1805

Introduced by Senator Murray

February 20, 2004

An act to amend Section 714.1 of the Civil Code, relating to solar energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1805, as amended, Murray. ~~Building standards: solar energy~~
Solar energy systems.

Existing law requires a solar energy system to meet applicable standards and requirements imposed by state and local permitting authorities. Existing law also requires a solar energy system for heating water to be certified by a nationally recognized certification agency and a solar energy system for producing energy to meet specified safety and performance standards. Notwithstanding these requirements, a homeowners association may impose reasonable provisions that require the owner of a separate interest in a common interest development to obtain association approval of a solar energy system in a separate interest owned by another.

This bill would require an association to provide this approval if the solar energy system otherwise meets the above described requirements for certification or safety and performance standards.

~~The State Housing Law requires the housing or building department or, if there is no building department, the health department, of every city, county, or city and county, or a specified environmental agency to enforce within its jurisdiction all of the State Housing Law, the building standards published in the State Building Standards Code, and other specified rules and regulations.~~

~~This bill would declare the intent of the Legislature to enact legislation that would require new residential construction by a commercial builder to meet solar ready requirements, as specified, that will enable the addition of a solar energy system, including any photovoltaic solar collector or other photovoltaic solar energy device whose primary purpose is to provide for the collection, distribution, and storage of solar energy for electric generation.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~SECTION 1. Section 714.1 of the Civil Code is amended to~~
3 ~~read:~~
4 ~~714.1. Notwithstanding Section 714, any association, as~~
5 ~~defined in Section 1351, may impose reasonable provisions which~~
6 ~~that do any of the following:~~
7 ~~(a) Restrict the installation of solar energy systems installed in~~
8 ~~common areas, as defined in Section 1351, to those systems~~
9 ~~approved by the association.~~
10 ~~(b) Require the owner of a separate interest, as defined in~~
11 ~~Section 1351, to obtain the approval of the association for the~~
12 ~~installation of a solar energy system in a separate interest owned~~
13 ~~by another. This approval may not be withheld if the solar energy~~
14 ~~system otherwise meets the requirements of paragraph (2) or (3)~~
15 ~~of subdivision (c) of Section 714.~~
16 ~~(c) Provide for the maintenance, repair, or replacement of roofs~~
17 ~~or other building components.~~
18 ~~(d) Require installers of solar energy systems to indemnify or~~
19 ~~reimburse the association or its members for loss or damage caused~~
20 ~~by the installation, maintenance, or use of the solar energy system.~~
21 ~~legislation that would require new residential construction by a~~
22 ~~commercial builder to meet solar ready requirements, including~~
23 ~~building orientation, construction, and electrical wiring~~
24 ~~requirements, that will enable the addition of a solar energy~~
25 ~~system, including any photovoltaic solar collector or other~~
26 ~~photovoltaic solar energy device whose primary purpose is to~~

- 1 ~~provide for the collection, distribution, and storage of solar energy~~
- 2 ~~for electric generation.~~

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